

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JILL ALTMAN, individually and on behalf of
a class,

CIVIL ACTION FILE NO.

Plaintiff,

1:15-CV-02451-SCJ-CMS

v.

WHITE HOUSE BLACK MARKET, INC.

Defendant.

**MOTION FOR LEAVE TO FILE
NOTICE OF SUPPLEMENTAL AUTHORITY**

Plaintiff Jill Altman (“Plaintiff”), by and through her undersigned counsel, respectfully moves the Court for leave to file a notice of supplemental authority.

As grounds for this motion, Plaintiff states as follows:

1. Plaintiff has learned of a recently-decided case that interprets *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540, 194 L. Ed. 2d 635 (May 16, 2016) in an analogous context to the one before the Court that is potentially helpful to the Court’s evaluation of Defendant’s Motion to Certify an Interlocutory Appeal.

2. That case is *Flaum v. Doctor’s Assocs., Inc.*, Case No. 16-61198-CIV-ALTONAGA/O’Sullivan (S.D. Fla.). A copy of the August 29, 2016 order in that

action, which denies a Rule 12(b)(1) motion to dismiss on the grounds that an allegation that plaintiff received an insufficiently truncated credit card receipt in violation of 15 U.S.C. § 1681c(g) is an injury in fact sufficient to create Article III standing, is attached hereto as Exhibit A.

3. *Flaum* is further evidence that there is no dispute within the Eleventh Circuit as to the issue Defendant seeks to appeal.

WHEREFORE, Plaintiff respectfully requests that the Court permit Plaintiff to submit a notice of supplemental authority briefly discussing the cases discussed herein.

Respectfully submitted,

/s/ Bryant T. Lamer

Bryant T. Lamer (*Pro Hac Vice*)

Spencer Fane LLP

1000 Walnut Street, Suite 1400

Kansas City, MO 64106

Telephone: (816) 474-8100

Fax: (816) 474-3216

blamer@spencerfane.com

Shimshon E. Wexler

Shimshon Wexler, Attorney at Law

1411 Dalewood Drive, NE

Atlanta, GA 30329

212-760-2400

Email: swexleresq@gmail.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which electronically delivered a copy to the parties listed below.

Barry Goheen
Ian Edward Smith
King & Spalding
1180 Peachtree Street, N.E.
Atlanta, GA 30309-3521
404-572-4600
Fax: 404-572-4618
bgoheen@kslaw.com
iesmith@kslaw.com

John Anthony Love
Kilpatrick Townsend & Stockton, LLP - ATL
1100 Peachtree Street N.E.
Suite 2800
Atlanta, GA 30309
404-815-6500
Email: tlove@kslaw.com

/s/ Bryant T. Lamer

Attorney for Plaintiff